

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 22, 2008**

DIVISION ONE

B200405      People                                  (Not for Publication)  
v.  
Cesar F. Marroquin

The judgment is affirmed.

Rothschild, J.

We concur:   Mallano, Acting P.J.  
                      Vogel (Miriam A.), J.

B197635      People      (Not for Publication)  
v.  
Gabriel Sanchez

The judgment is affirmed.

Rothschild, J.

We concur:   Mallano, Acting P.J.  
                      Vogel (Miriam A.), J.

## DIVISION ONE (continued)

B201996      People      (Not for Publication)

V.  
Joaquin Alvarado

The section 12022, subdivision (c), enhancement is reversed; the judgment is affirmed in all other respects; and the cause is remanded to the trial court for resentencing.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B199465 Jerry Cheu Wong (Not for Publication)

B200877      v.  
Julie Kuen Wong

The orders are affirmed. Julie is entitled to her costs of appeal.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B202258      Los Angeles County, D.C.S.      (Not for Publication)

v.  
Lora L.

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Rothschild, J.

DIVISION ONE (continued)

B202983      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Mary K.

The orders of October 16, 2007, are affirmed.

Mallano, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
Rothschild, J.

B201604      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Maria G., et al.

The jurisdiction and dispositional orders of August 21, 2007 are reversed and on remand the juvenile court is directed to vacate the orders and to provide the Department of Children and Family Services a reasonable amount of time to effect proper service on Maria G. and Jorge A.

Mallano, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
Rothschild, J.

B202786      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Ricardo V.

The orders are affirmed.

Rothschild, J.

We concur:    Mallano, Acting P.J.  
Vogel (Miriam A.), J.

May 22, 2008 (Continued)

DIVISION ONE (continued)

B206327      Michael V., et al.,                      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles Department of Children & Family Services, r.p.i.)

The Los Angeles County Department of Children and Family Services's motions to take additional evidence are granted, and its motion to dismiss is denied. The petition for extraordinary writ of Michael V., Jim V., Tonia V., and Jessica V. is denied. The petition for extraordinary writ of C.C. is dismissed.

Mallano, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
Rothschild, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,  
Deputy Clerk.

Each of the following:

B198999 Iskanian v. CLS Transportation  
B199745 People v. Stephen H.  
B202267 DCFS v. Eldon E.  
B198418 People v. Thomas  
B200894 DCFS v. Dawn G.  
B197443 People v. Nash

Argument waived, cause submitted.

DIVISION TWO (continued)

B198066     Reed  
              v.  
              Ferguson & Melvin Inc.

Merits:  
Argued by David Evans for respondent and no appearance by appellant.  
Cause submitted.

Ashmann-Gerst, J. leaves bench.

B195603     Gombiner  
              v.  
              City of Malibu

Merits:  
Argued by Leo Schwartz for appellant and by Gregory Kovacevich for  
respondent. Cause submitted.

B199163     People  
              v.  
              Diaz

Merits:  
Argued by Maxine Wexler for appellant and by Deputy Attorney General  
David Madeo for respondent. Cause submitted.

B201668     Campbell et al.  
              v.  
              First American Title Co.

Merits:  
Argued by Rebecca Peterson for appellants and by H. Mark Mersel for  
respondent. Cause submitted.

DIVISION TWO (continued)

B197108      De Walt et al.  
                 v.  
                 Jobete Music Co. Inc. et al.

Merits:

Argued by Mark Passin for appellants and by Vincent Cox for respondents.  
Cause submitted.

Court in recess.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,  
Deputy Clerk.

Each of the following:

B203149 DCFS v. Andrew B.  
B200467 People v. Huntsman  
B200970 People v. Jones  
B195350 People v. Osby  
B202572 DCFS v. Claudia L.  
B201884 People v. Barocio

Argument waived, cause submitted.

B199774      Shivers  
                 v.  
                 Perrett et al.

Merits:

Argued by Sanford Passman for appellant and by Kent Goss for  
respondents. Cause submitted.

DIVISION TWO (continued)

B198987 Woods

v.

Southern California Permanente Medical Group et al.

Merits:

Argued by David Kadue for appellants and by Roxanne Huddleston for respondent. Cause submitted.

B199537 Valento

v.

City of Burbank et al.

Merits:

Argued by Michael McGill for appellant and by City Attorney Juil Scott for respondents. Cause submitted.

B200331 Wall Units Inc.

v.

State Compensation Insurance Fund.

Merits:

Argued by Barry Kramer for appellant and by Fred Puglisi for respondent. Cause submitted.

Boren, P.J. leaves bench.

B198348 Hotels Nevada LLC et al.

v.

Los Angeles Pacific Center Inc.

Merits:

Argued by Richard Derevan for appellants and by Scott Bertzyk for respondent. Cause submitted.

Court adjourned.

May 22, 2008 (Continued)

DIVISION TWO (continued)

B196620      People      (Not for Publication)  
v.  
Benjamin Cruz, Jr.

The judgment is modified to stay the sentence on count 3, the assault on Penate, pursuant to section 654 of the Penal Code. In all other respects, the judgment is affirmed. The superior court is ordered to correct the abstract of judgment accordingly and to forward a corrected copy to the Department of Corrections and Rehabilitation.

Doi Todd, J.

We concur:   Boren, P.J.  
                    Ashmann-Gerst, J.

## DIVISION THREE

B199483      South Hills Homes Partnership  
v.  
City of West Covina

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION FIVE

B193957 People (Not for Publication)  
v.  
John Hernandez Lopez

The judgment is affirmed.

Turner, P.J.

I concur: Kriegler, J.  
I dissent: Mosk, J. (Opinion)



DIVISION FIVE (continued)

B204417      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Kazue C.  
In re Giannina P.

The judgment is affirmed.

Mosk, J.

We concur:    Armstrong, Acting P.J.  
Kriegler, J.

DIVISION SIX

B193898      People      (Not for Publication)  
v.  
Trejo

The judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.  
Yegan, J.

B193729      People      (Not for Publication)  
v.  
Allen

The judgment is affirmed.

Perren, J.

We concur:    Yegan, Acting P.J.  
Coffee, J.

## DIVISION SIX (continued)

B200910 People (Not for Publication)

V.  
Jimenez

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

B202765      Coulombe      (Not for Publication)

v.  
City of Oxnard et al.,

The judgment and order are affirmed. Costs on appeal are awarded in favor of the respondents.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

B202772 Coulombe (Not for Publication)

V.  
County of Ventura et al.,

The judgment and order are affirmed. Costs on appeal are awarded in favor of the respondents.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## May 22, 2008 (Continued)

## DIVISION SIX (continued)

B198086 People (Not for Publication)

**V.**

Crosby

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.

Yegan, J.

## DIVISION EIGHT

B201147 Jane Guardado, a Minor, etc. (Certified for Publication)

V.

Superior Court, Los Angeles County  
(Mariposa Gardens et al., r.p.i.)

The petition for writ of mandate is denied and the order show cause is discharged. Webb is to recover his costs in this writ proceeding.

Flier, J.

We concur: Cooper, P.J.

Rubin, J.

B201711 Los Angeles County, D.C.S. (Not for Publication)

V.

Edward E.,

The order is affirmed.

Cooper, P.J.

We concur: Rubin, J.

Egerton, J. (Assigned)

DIVISION EIGHT (continued)

B200752      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Dominic M.,  
In re S.S., a Person Coming Under the Juvenile Court Law.

The order terminating parental rights is affirmed, and the habeas petition is denied.

Rubin, J.

We concur: Cooper, P.J.  
Egerton, J. (Assigned)

B197840      Los Angeles County, D.C.S      (Not for Publication)  
v.  
Robin M.

The March 26, 2007 order is affirmed.

Rubin, J.

We concur: Cooper, P.J.  
Flier, J.

B194825      People  
v.  
Luster

Filed order denying petition for rehearing.